

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRANKLIN C. EDMONDS,

Plaintiff,

v.

RAWSON CONTRACTORS, INC.,

Defendant.

ORDER

09-cv-315-bbc

This is a civil action for monetary relief in which plaintiff Franklin Edmonds, who is proceeding pro se, contends that defendant Rawson Contractors, Inc. discriminated against him because of his race when they did not hire him for the rubber tire loader operator position. Plaintiff has paid the \$350 fee for filing this case.

The next step is for plaintiff to serve his complaint on the defendant. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendant well before the deadline for doing so established in Rule 4. To help plaintiff understand the procedure for serving his complaint, I am enclosing with this order a copy of a document titled "Procedure for Serving a

Complaint on a Corporation, Partnership or Unincorporated Association in a Federal Lawsuit.” In addition, I am enclosing to plaintiff an extra copy of his complaint and forms he will need to send to the defendant in accordance with the procedures set out in Option 1 of the memorandum.

ORDER

IT IS ORDERED that plaintiff promptly serve his complaint on the defendant and file proof of service of his complaint as soon as service has been accomplished. If, by July 28, 2009, plaintiff fails to submit proof of service of his complaint on the defendant or explain his inability to do so, I will direct plaintiff to show cause why his case should not be dismissed for lack of prosecution.

Entered this 27th day of May, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge